IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CIVIL APPELLATE JURISDICTION

WRIT PETITION NO.4951 OF 2004

Ms.Patil Hausatai Namdeo/
Mrs.Shobatai Narayan Jadhav ...Petitioner

Vs.

State of Maharashtra & Ors. ...Respondents

Mr.A.M.Joshi for the Petitioner.
Mr.Vinay Sonpal, A.G.P. for Respondent Nos.1 to 3.
Mr.S.G.Page with Mr.S.R.Page for Respondent Nos.4 & 5.
Mr.Rohit Pawaskar for Respondent No.6.

CORAM :- B.H.MARLAPALLE &
NARESH H.PATIL,JJ.

DATE : 19TH OCTOBER, 2006

P.C.

1. In this Petition, the Petitioner prayed for directions to place her in B.A. B.Ed. scale (trained degree holder teacher) with effect from 31/05/2002 i.e. on the retirement of Shri.Sambhaji Pandurang Bhosale. The Education Officer filed affidavit in reply and stated that the Petitioner was granted the very same scale and before she approached this Court. On oral instructions we are informed that the B.Ed. scales were granted to her from 1998 and therefore, Petitioner herself filed a rejoinder in which, she has admitted that from the year 2001 she has been granted the said higher scale. The service record on the other hand shows that she has been granted the pay scale of Rs.5000-150-8000 with effect from 01/06/2000 i.e. immediately on her obtaining the B.Ed.degree in May,1999.

2. Hence, it is clear that the Petitioner's prayer was already met and the Petition has to be dismissed, as not tenable.

3. Petition, is therefore, rejected summarily.

(NARESH H.PATIL,J.) **(B.H.MARLAPALLE,J.)**